Ref 2022/0426 Planning Application and 2022/0559 Advertisement Consent Application

Applicant: Sports Direct.com Retail Ltd

Proposal: Alterations to the shop front

Proposal: Installation of various shopfront advertisements including illuminated lettering on fascia sign, projecting signs, digital screen and window vinyl's

Address: Unit MSU4 The Glass Works, Barnsley, S70 1GW

Planning History

There is a complex planning history on the site relating to the Glass Works redevelopment and its previous incarnations, the most relevant recent planning permissions being:

2017/0135 - Proposed refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1 ,A3, A4), and leisure (D2) uses - Reserved matters of outline planning permission 2015/0549 (access, appearance, layout and scale, excluding landscaping)

2018/1569 - Variation of condition 2 (approved plans) of planning permission 2017/0586 to enable changes to the design of the multi storey car park and its access arrangements - Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road

Site Description

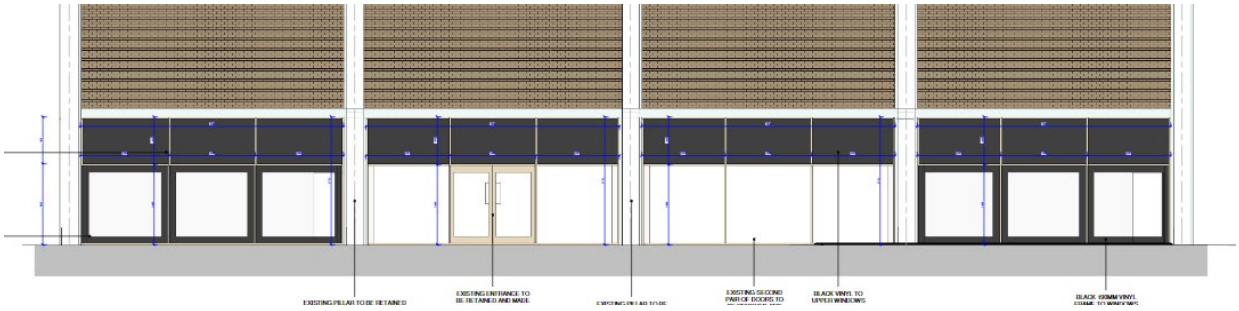
The application relates to unit MSU4 of the Glassworks Development in the Markets District of Barnsley Town Centre. This is a unit within the arcade of the Glassworks.

Proposed Development

The applicant seeks permission to display 2 no. internally illuminated projecting signs (600mm x 600mm and to a minimum height to the underside of the sign of 3.05 metres) and 2 no internally illuminated individual letters ‘Flannels’ fascia signs, as well as logo and other vinyls on the windows and doors; and also, to remove one existing access onto the arcade and place behind the newly created shop window a digital screen measuring 1750mm high x 4750mm wide. The signage application has been partially amended to reflect the comments of the Design Officer including by clarifying the size of the projecting/bus stop signs; retaining the gold finish to the existing entrance doors and shop front pillars; and removing the CCTV camera from the proposal. The applicant has otherwise sought to justify the logo vinyls on the windows and doors.

The alterations and signage as amended have been fully implemented on site.

Arcade elevation

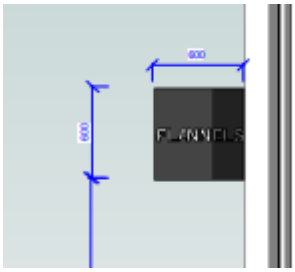


Arcade elevation showing the proposed signage



Proposed signage details:





Policy Context

Decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

Decisions on applications for advertisement consent are not determined under the S38/6 presumption in favour of the development plan in the way that planning applications are. However, development plan policies are a material consideration, and will inform consideration of the two principal issues of public safety and amenity on the advertisement consent application.

Local Plan

The new Local Plan was adopted by the Council in January 2019. Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The Local Plan review was approved at the full Council meeting held on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

The application site is in the primary shopping area of Barnsley Town Centre as designated in the Local Plan. The following policies are relevant:

Policy GD1 General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

Policy D1 High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy TC1 Town Centres – indicates that new retail and town centre development will be directed to centres in order to maintain and enhance their vitality and viability and that a sequential approach will be used to assess proposals for new retail and town centre development outside the designated centres.

Policy BTC12 The Markets Area District – we will allow shops, offices, leisure developments, and food and drink uses within the Markets District. Other uses will only be supported where they contribute towards the vitality and viability of the town centre.

Supplementary Planning Documents

Advertisements SPD – offers guidance to anyone seeking to display an outdoor advertisement and in particular cautions against cluttered advertising and excessive illumination.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, the policies above are considered to reflect the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 136 which states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Consultations

Design – Initial comments confirmed

- No objections to removing the existing doors but require consistent approach to the existing shopfront finish/colour and object to new colour finish on the existing shopfront pillars.
- Concerns expressed about the proposed CCTV camera.
- Require clarity on the proposed bus stop and fascia signs and object to more than one fascia sign
- Object to the size of the proposed digital screen
- Object to the proposed vinyls including those with 'Flannels' lettering.

In response to amended plans and submission of justification by the agent

Comments on revised plans: The scheme as proposed and implemented retains a reasonable degree of transparency, a key theme of the shopfront design guide for the Glass Works and overall has a very high quality. No further objections

Ward Councillors – No response.

Representations

The applications were advertised by way of site notices (14 June to 5 July 2022) and consultation letters to units/properties adjacent and near to the proposal site. No comments have been received.

Assessment

Principle

Advertisements are acceptable where they would not be harmful to amenity, by virtue of size, position, location or proliferation and level of illumination; and where the proposal would not be prejudicial to public safety.

The site is located within a block that was approved for retail uses under the 2019 planning permission for the Glass Works development. Both the advertisements and the proposed alteration therefore relate to an authorised use and the principle of consent is acceptable subject to matters of detail.

Visual Amenity

As amended and implemented, the alterations to the shopfront have received a confirmation of no objections from the Design Officer and are considered acceptable in appearance. A condition is recommended to clarify the approved amended plans.

Following adverse comments to the proposed advertisements from the Design Officer, the application has been partially amended. The size of the projecting/bus stop signs has been clarified. The applicant has sought to justify the proposal for two fascia signs and the size of the digital screen based on the size (length) of the shop front (it is two units conjoined), has submitted that the vinyls are discrete and do not over dominate the frontage. The Design officer has agreed that as implemented the signage is acceptable.

The amendments largely reflect the advice given and the proposed signs are considered to be high quality, of a good standard of design and appropriate illumination for their setting. The signs are considered to be acceptable in terms of their impact on visual amenity and in compliance with the Glassworks Shopfront Design Guide, the SPD Advertisements and Local Plan Policies GDA and D1. Conditions are recommended to ensure that the advertisements are displayed in accordance with the amended plans submitted; to limit the illumination as proposed and also to remove deemed consent for any further advertisements – this will ensure that any further advertisements remain under the control of the Local Planning Authority, in the interests of the continued satisfactory appearance of the property.

Public Safety

It is considered that the proposed signs are considered acceptable from a public safety perspective and in accordance with Local Plan policy T4 – New Development and Transport Safety. It is concluded that the proposed signs would not be prejudicial to public highway safety.

Conclusion

As amended, the proposed signs and shopfront alterations are of a high quality of design and the signs are proportionate to the unit upon which they will be situated. The signs will ensure the vibrancy, vitality and viability of the town centre without incurring negative impacts to visual amenity or public highway safety. The alterations to the shopfront are considered to be acceptable in appearance and appropriate to the unit.

Recommendation

Grant subject to conditions